

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 8103

BILL NUMBER: SB 565

DATE PREPARED: Mar 6, 2001

BILL AMENDED: Mar 5, 2001

SUBJECT: Various Election Law Changes.

FISCAL ANALYST: Chris Baker

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FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) The bill establishes a procedure for a member of a county election board file a protest with the State Election Commission concerning an election ballot that the member reasonably believes does not comply with the requirements of IC 3-11-2 or is otherwise not in the form required by law. The bill also requires that nominees be listed on a general election ballot in type with uniform capital letters and with uniform space between each name. It permits the County Executive to locate the polls for a precinct in an adjoining precinct, using the precinct election board of the adjoining precinct, if the County Election Board, by unanimous vote, determines that there are not enough active voters in the precinct to require a separate precinct election board. The bill also requires the Governor to make appointments to certain vacant State and judicial offices not later than 60 days after the Governor receives certification that the vacancy exists. It requires a Gubernatorial appointee to a vacancy to take office not later than sixty days after the date of appointment. The bill also repeals a requirement that a county having a population of more than 125,000 have a board of voter registration. The bill permits the County Executive of a county having a population of more than 125,000 to adopt an order to establish a board of voter registration.

Effective Date: July 1, 2001.

Explanation of State Expenditures: The Indiana Election Commission would be required to investigate petitions by members of the County Election Board if the required specifications as provided in the bill are not met with respect to the printing of ballots. The amount of potential expenditures involved with this provision would depend on the extensiveness of any investigations and hearings that could result.

Based on past experience of the Election Commission, any hearings required for possible violations of election law have been treated similarly to standard meetings of the Commission with respect to expenditures. Typically, the Commission members will receive standard per diem, and the Commission may incur minimal costs related to the transcriptions of Commission meetings.

For expenditures related to investigations, it has been the experience of the Election Commission for the parties involved in a deposition to cover the costs, including payment of a court reporter to record and any witness fees accrued, such as mileage for travel. With more complex investigations, site visits could be required which would incur further expenditures related to travel and possible overnight accommodations. The Election Commission, to date, has not experienced an investigation which has required significant expenditures.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) Counties that meet the above population requirements would have the option of eliminating their boards of voter registration. If the resources were not re-assigned, unused resources could be terminated.

Counties may have the ability to remove unnecessary precinct election boards in adjoining precincts if the county election board determines, by unanimous vote, there are an insufficient number of active voters in the precinct in question. Expenditures could be saved by having to employ fewer precinct election boards in primary and general elections. A precinct has the following election officers:

Type of Officer	Number
Inspector	1
Judge	2
Poll Clerk	2
Sheriff	2
Asst. Poll Clerk	2 (Optional)

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: County Election Board; Circuit Court Clerk; Board of Voter Registration.

Information Sources: Kristi Robertson, Co-General Counsel, Indiana Election Division, (317) 232-3939.